

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated: 30th day of June 1998

Before
THE HON'BLE Mr. JUSTICE V.GOPALA GOWDA

WRIT PETITION Nos.14505 - 14508/92

Between:

1. Sharnabassaiah,
S/o.Shanmukiah,
Daily Wage Employee,
Lal Bahaddur Shastrinagar,
Raichur.
 2. Virupakshappa,
S/o.Somappa,
Daily Wage Employee,
Neerbhavikunta Oni,
Opp: Soppe Doddi,
Raichur.
 3. Shankar,
S/o.Hanumanthraya,
Daily Wage Employee,
C/o.Pompanna,
H.No.3.4..46,
Mangalwarpet,
Ashoka Depot,
Raichur.
 4. S.L.Mohd.Hussain,
S/o.Syed Ladasb,
Daily Wage Employee,
H.No.12.12.41,
Arab Mohalla,
Raichur.
- ...PETITIONERS

(By Kumari Sharada)

And:

1. The State of Karnataka
by its Chief Secretary,
Vidhana Soudha,
Bangalore-1.

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2. The State of Karnataka
by its Commissioner &
Secretary,
Public Works & CADA,
M.S.Buildings,
Banalore.
3. The State of Karnataka
by its Secretary,
Health & Family Welfare
Service, M.S.Buildings,
Bangalore.
4. The Project Co-ordinator &
E/o Addl.Secretary to the
Government, I.P.P. (K),
Health & Family Welfare
Dept,. Bangalore.
5. The Chief Engineer,
Commuation & Building (N),
Dharwad.
Raichur.
6. The Executive Engineer,
I.P.P, III Division,
Raichur. ...RESPONDENTS

(By Sri G.Papireddy, HCGP)

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W.P is filed under Articles 226 and 227 of the Constitution of India praying for a Writ of Mandamus directing the respondents to take back and continue the petitioners in their respective posts under the control of the 4th respondent and provide them jobs in any other departments.

This W.P coming on for hearing this day, the Court made the following:-

O R D E R



The relief sought for by the petitioners in these petitions to direct the respondents to take back the petitioners into service and continue them or to provide jobs in any other departments, cannot be granted.

2. Admittedly the petitioners were appointed on daily wages for certain project work. Since the work of the project for which the petitioners were appointed had been completed, they have been removed. Question of providing employment to the petitioners does not arise as they have no right to claim such a relief.

3. In paragraph 12 of the petitions it is stated that the petitioners have completed continuous service of more than 240 days and as per the decision of the Supreme Court in DHARWAD DISTRICT P.W.D LITERATE DAILY WAGE EMPLOYEES ASSOCIATION vs STATE OF KARNATAKA (A.I.R 1990 SC 983) and the Government order dated 6-8-1993 they are entitled to continue in service.



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4. Petitioners are at liberty to submit representation to respondents 1 to 3 narrating the relevant facts and showing their entitlement to continue in service on the basis of the decision of the Supreme Court and the Government order. If such representation is made, respondents 1 to 3 shall consider the same within eight weeks and if they are found eligible, to pass appropriate orders.

5. Writ Petitions stand disposed of with the above observation.

Sd/-
JUDGE

MP/070898